

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

-against-

1:23-cr-00603 (ALC)

ORDER

ROBERT RUMPH,

Defendant.


ANDREW L. CARTER JR., United States District Judge:

This Court is in receipt of the Government's letter dated March 17, 2025 (ECF No. 58), which requests that the enhancements set forth in U.S.S.G. §§ 2B3.1(b)(2)(C) and 2B3.1(b)(4)(B) be applied in the calculation of Defendant's sentence. The Court is also in receipt of Defendant's letter dated April 4, 2025 (ECF No. 61) that opposes the Government's request. The Court has reviewed both letters and the applicable law, and notes that neither party raised U.S.S.G. § 1B1.3 App. n. 4(B)(i), which appears to resolve the dispute concerning the enhancements. The Parties are therefore directed to file supplemental briefing as to why U.S.S.G. § 1B1.3 App. n. 4(B)(i) does or does not control on the issue of enhancements in the calculation of Defendant's sentence. Each letter brief shall not exceed 3 pages. The Government's letter brief is due by 5 p.m. on April 18, 2025. Defendant's response is due by 5 p.m. April 22, 2025.

In light of the new supplemental briefing schedule, the sentencing previously scheduled for April 17, 2025, at 2:00 p.m., is **ADJOURNED** to April 29, 2025, at 10:00 a.m. in Courtroom 444, Thurgood Marshall Courthouse, 40 Foley Square, New York, NY 10007.

SO ORDERED.

Dated: April 16, 2025
New York, NY

A handwritten signature in black ink, reading "Andrew L. Carter, Jr." in a cursive style.

ANDREW L. CARTER, JR.
United States District Judge